

VZCZCXRO4695  
RR RUEHPA  
DE RUEHDK #0528/01 0610747  
ZNR UUUUU ZZH  
R 020747Z MAR 06  
FM AMEMBASSY DAKAR  
TO RUEHC/SECSTATE WASHDC 4422  
INFO RUEAWJA/DEPT OF JUSTICE WASHDC  
RUEHC/DEPT OF LABOR WASHDC  
RUEATRS/DEPT OF TREASURY WASHDC  
RUEAHLA/DEPT OF HOMELAND SECURITY WASHINGTON DC  
RUEHMD/AMEMBASSY MADRID 0088  
RUEHZK/ECOWAS COLLECTIVE

UNCLAS SECTION 01 OF 13 DAKAR 000528

SIPDIS

SIPDIS  
SENSITIVE

DEPT FOR G/TIP, AF/RSA, AF/W, G, INL, DRL, PRM, AND G/IWI  
BAMAKO FOR TIP OFFICER  
BANJUL FOR TIP OFFICER  
CONAKRY FOR TIP OFFICER  
MADRID FOR TIP OFFICER  
PRAIA FOR TIP OFFICER

E.O. 12958: N/A

TAGS: [PHUM](#) [KCRM](#) [KWMN](#) [ELAB](#) [SMIG](#) [ASEC](#) [KFRD](#) [PREF](#) [SG](#)

SUBJECT: SENEGAL: ANNUAL TRAFFICKING IN PERSONS REPORT

REF: STATE 003836

11. (U) SUMMARY: After being upgraded last year from Tier 2 Watch List to Tier 2 status, Senegal has continued to devote significant time and attention to the issue of trafficking in persons. The most important achievement of the past year was passage of its first trafficking-in-persons (TIP) law. Police now maintain a computerized database meant to record trafficking-related crime statistics. At least three trafficking schemes have been investigated, and the GOS prosecuted individuals responsible for rape, pedophilia, prostitution and abuse of "talibe" children. The Government has continued to provide assistance to victims and to repatriate children found to have been trafficked from surrounding countries. 54 were repatriated to Mali in 2005. In November 2005, G/TIP Ambassador Miller and members of his staff visited Senegal, meeting key GOS officials, international organizations and NGOs to discuss the trafficking issue. The meetings revealed that Senegal has made some progress. Nevertheless, certain areas still need improvement, such as inter-ministerial cooperation, prosecution and the collection of data regarding the trafficking of women for sexual exploitation. In addition to 2005 TIP Hero and Family Minister Aida Mbodj, Director of "Avenir de l'Enfant" Moussa Sow is a TIP hero in every sense of the word. END SUMMARY.

12. (SBU) Responses are keyed to questions in reftel.

Begin TIP report:

121. Overview of a country's activities to eliminate trafficking in persons:

-- A. Is the country a country of origin, transit or destination for international trafficked men, women or children? Specify numbers for each group; how were they trafficked, to where and for what purpose? Does the trafficking occur within the country's borders? Does it occur in territory outside of the government's control (e.g. in a civil war situation)? Are any estimates or reliable numbers available as to the extent or magnitude of the problem? Please include any numbers of victims. What is/are the source(s) of available information on trafficking in persons or what plans are in place (if any)

to undertake documentation of trafficking? How reliable are the numbers and these sources? Are certain groups of persons more at risk of being trafficked (e.g. women and children, boys versus girls, certain ethnic groups, refugees, etc.)?

Senegal is a country of origin, transit and destination for human trafficking of women and children. There are no reliable statistics on the extent of human trafficking in Senegal. While some NGOs and international organizations, such as UNICEF, have estimates on the number of child beggars or at-risk children, there has never been a quantitative study on trafficking victims in Senegal. Anecdotal evidence suggests young boys constitute the highest risk group for trafficking.

Senegal's trafficking problems are both internal and transnational.

Young Senegalese boys are trafficked from rural villages to urban centers for exploitive begging at some Koranic schools ("daaras"). Young boys are trafficked to Senegal from The Gambia, Guinea-Bissau, Mali and Guinea for the same purpose. Although there were reports in the past of Senegalese children being trafficked to other West African countries, Cote d'Ivoire for example, for labor purposes, there were no such reports in 2005.

Young girls are trafficked from villages in the Diourbel, Fatick, Kaolack, Thies and Ziguinchor regions to urban centers for work as underage domestics. NGOs report Malian girls are trafficked to Senegal to help blind -- and people posing as blind -- beggars. Young girls from

DAKAR 00000528 002 OF 013

both urban and rural areas are involved in illegal prostitution, which NGOs claim always involves an adult pimp who facilitates their commercial sex transactions or houses them.

The issue of trafficking of adult women remains a hazy one. Police officials, international organizations and NGOs have indicated that trafficking of women for use in prostitution occurs in Senegal, but there is little concrete data to support this. NGOs working with illegal prostitutes have provided anecdotal evidence. ENDA Sante, a Senegalese NGO, treats illegal prostitutes for STIs through a mobile clinic program. According to ENDA Sante's staff, they see many women from nearby African countries -- Nigeria, Ghana, Sierra Leone, Liberia, Guinea-Bissau and Guinea -- practicing illegal prostitution in Senegal. Association AWA, an NGO providing health care and vocational training to women in prostitution, reported that physically abused women occasionally come in to be treated. They are sometimes accompanied by another person to get tested for HIV/AIDS. AWA believes some of these women may be trafficking victims, and the persons accompanying them may be traffickers. AWA also said they see many female prostitutes from Liberia and Nigeria. Last year's TIP Report discussed the organized nature of foreign prostitutes' entry into Senegal.

-- B. Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g. changes in direction). Also briefly explain the political will to address trafficking in persons. Other items to address may include: What kind of conditions are the victims trafficked into? Which populations are targeted by the traffickers? Who are the traffickers? What methods are used to approach victims? (Are they offered lucrative jobs, sold by their families, approached by friends of friends, etc.?) What methods are used to move the victims (e.g., are false documents being used)?

The lack of reliable trafficking data impedes clear

understanding of trafficking trends. Young boys continue to be trafficked from neighboring countries and Senegalese villages, and young girls continue to be trafficked internally. Foreign and Senegalese women continue to work in the sex industry. NGOs working with children and prostitutes, and a GOS health professional working at a government-funded health clinic that offers health checks for prostitutes complying with Senegal's legal prostitution regime, claim they see more and increasingly younger underage prostitutes on Senegal's streets.

Children trafficked to Senegal are forced into exploitive begging. Separated from their families and support systems, children must choose between staying with their trafficker or life on the street as runaways. Many children are too young to remember with any detail the village from which they came and, sadly, forget their families. Newspapers have reported on cases of physical abuse committed by Koranic teachers ("marabouts") against their students ("talibes"). Koranic teachers who abuse their students have been prosecuted under non-TIP laws.

There is not enough evidence on underage or adult prostitution to know how traffickers ensure compliance. There are no reports children are trafficked from other countries to Senegal for sexual purposes, or to become underage domestics.

For child victims, parents who entrust young boys into the care of a Koranic teacher, or send a female child to work as a domestic, oftentimes know the trafficker.

Koranic teachers frequently return to their original villages and receive children from parents hoping to provide a Koranic education, which many Senegalese value more highly than a secular education. Generally, parents are not offered money to turn young boys over to Koranic teachers, and young boys are never sold. An NGO working

DAKAR 00000528 003 OF 013

in the northern Senegalese town of St. Louis explained young boys are sometimes passed from one Koranic teacher to another, but never for recompense.

Girls sent away to work as domestics often work in family members' or family friends' homes. In such cases, poor rural families expect money will be sent back to the home to help provide badly needed income. These relationships and families' expectations of income make leaving exploitive labor conditions, which sometimes include sexual abuse, difficult for young girls.

Young prostitutes are either sent by their rural parents to urban areas to find work, or leave their urban homes to work on the streets. While parents do not send their daughters to become prostitutes, with rare exceptions, NGOs working with underage prostitutes claim parents are aware of the fact their daughters prostitute themselves because they leave the house at night, and they have an otherwise unexplainable source of income. Almost all underage prostitutes have Senegalese pimps who entice their desperate victims with promises of money and work.

Weak civil administration and the ease of obtaining fake identity documents, the abundance of foreign tourists and potential visa sponsors, freedom of movement between Economic Community of West African States (ECOWAS) member states without the need to present a passport, direct flights from Senegal to Europe and national stability entice adult women from other African countries to come to Senegal for sexual purposes. If these women are trafficked, it is unclear who their traffickers are, or what methods they use to approach victims. NGOs explain while some Senegalese women could be trafficked to North Africa, Europe and the Middle East for sexual purposes, as has been reported in the past, most Senegalese prostitutes

tend to remain in Senegal.

The GOS has continued to show significant political will to combat human trafficking.

The GOS-established Ginddi Center has maintained its intake of at-risk children and has plans to expand its operations. Minister of Women, Family and Social Development Aida Mbodj, one of the 2005 TIP Heroes, whose Ministry directs Ginddi Center, continued her efforts to bring public awareness to this problem and to work closely with international organizations and her counterparts in other African countries. Her Ministry runs a program for daaras, in which they provide teaching aids, submit language components, train Koranic teachers, offer school supplies and run awareness campaigns. She has publicly called for an end to begging and has mobilized her Ministry to educate the public about the importance of birth registration.

Human Rights Commissioner Mame Bassine Niang helped push through the new anti-TIP law. She was also tasked with creating an inter-ministerial task force, though it has not met for some time. Moreover, there appears to be a disjointed approach to TIP. While the Family Minister, the Human Rights Commissioner and the Chief Prosecutor all have agreed there is a trafficking problem that must be addressed, the Minister of Justice and some Ministry of Interior officials have said they believed human trafficking was NOT a problem in Senegal.

The relatively new Criminal Analysis Unit continues to add trafficking-related offenses into its electronic database. Unfortunately, though human trafficking is now an offense under domestic law, few, if any, such cases have been included in the database. The unit is associated with INTERPOL but lacks financial and human resources to fully devote to trafficking issues. The Commissioner of Police noted that police lack the financial incentive and time to actively pursue trafficking cases and input data into the database.

The Interior Ministry established a new Special

DAKAR 00000528 004 OF 013

Commissariat to help fight sex tourism in Dakar and Mbour, two of Senegal's principal tourist destinations and target areas for underage and illegal prostitution. However, the Commissariat has taken no definitive actions.

The Ministry of Tourism created a special tourism police unit and appointed someone to head it. It is charged with fighting sexual tourism in the popular tourist destinations of Dakar, Saint-Louis, Mbour, Fatick and Ziguinchor. It is not yet operational.

Former Labor Minister Yaro Deh signed a Time-Bound Program with the ILO in 2004 to fight the worst forms of child labor in Senegal. In cooperation with the ILO, Senegal targets for eradication child begging, underage domestic work and underage prostitution as three of Senegal's worst forms of child labor.

-- C. What are the limitations on the government's ability to address this problem in practice? For example, is funding for police or other institutions inadequate? Is overall corruption a problem? Does the government lack the resources to aid victims?

Senegal is one of the poorest countries in the world, ranking 157th on the UN's Human Development Index and limiting its ability to effectively prosecute traffickers, prevent trafficking or protect trafficking victims. Police are underpaid and lack adequate equipment and resources to effectively do their jobs. In addition to its public revenue problems, the government's bureaucratic

structure and reliance on highly centralized decision-making stand in the way of reform. Corruption exists throughout government, including law enforcement. Trafficking represents only one of many vexing social and economic problems with which the Government must contend. The fact that recruiters of young boys exploit parents' legitimate, socially prevalent desire for a religious education provides "cover" within local communities, and decreases the possibility of government intervention.

-- D. To what extent does the Government systematically monitor its anti-trafficking efforts (on all fronts -- prosecution, prevention and victim protection) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

The GOS does not have a systematic means in place to monitor its anti-trafficking efforts and does not submit reports. However, the Ministry of Family and the Human Rights Commissioner in an unprecedented move led a sustained and well-organized effort to fight trafficking and child begging throughout 2005 and early 2006. This effort was cited and lauded by President Abdoulaye Wade in April 2005.

## 122. PREVENTION:

-- A. Does the Government acknowledge that trafficking is a problem in that country? If no, why not?

President Wade spoke publicly against human trafficking as recently as April 2005. As the leading minister on children's issues, Family Minister Mbodj condemned child trafficking during her public statements numerous times during this TIP reporting cycle.

Privately, most GOS officials admit child trafficking exists and the Government needs to act. Fewer Senegalese see adult prostitutes as trafficking victims.

Some GOS officials continue to see trafficking as a foreign problem and Senegal victimized as a transit country rather than a destination or source country. When confronted with the realities of today's exploitive begging relationships, for example, many remain unconvinced Senegal's cultural and religious practices constitute human trafficking when Senegalese children are

DAKAR 00000528 005 OF 013

involved. People are more apt to criticize these practices, however, when foreign children are involved.

-- B. Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the lead?

The Family Ministry is the ministry most actively involved in prevention and protection efforts. As part of its anti-child labor program with UNICEF, the GOS created observatories in Mbour and St. Louis to fight prostitution and pedophilia, and in Fatick to keep girls from leaving school to become underage domestics.

The High Commission for Human Rights, due to its lack of a budget, is unable to undertake anti-trafficking programs absent external assistance. However, the High Commissioner played a critical role in getting the anti-TIP law passed and is expected to receive G/TIP funding. This should help her to staff and operate her office.

Various courts under the Justice Ministry collect statistics on arrests and imprisonment for all criminal offenses, including arrests of pimps and Koranic teachers who abuse their students. However, there is no centralized system in place for collecting data. The

governmental body put in place to coordinate such data collection is not yet functional.

In charge of law enforcement, the Interior Ministry created a Criminal Analysis Unit, sent students to ICITAP anti-trafficking training and created a new Special Commissariat to crack down on sex tourism and illegal prostitution. The Judicial Police, falling under the authority of the Interior Ministry, assigned four police officers to a new anti-trafficking police unit upon the signature of the anti-trafficking law. The four officers, while assigned to the anti-trafficking unit, actually spend the majority of their time on other routine cases. Senior Judicial Police officials have openly expressed that there is no financial motivation for police officers to pursue trafficking cases.

The Minor's Brigade monitors legal protection for minors and assists legal proceedings against perpetrators.

-- C. Are there or have there been government-run anti-trafficking information or education campaigns? If so, briefly describe the campaign(s), including their objectives and effectiveness. Do these campaigns target potential trafficking victims and/or the demand for trafficking (e.g. "clients" of prostitutes or beneficiaries of forced labor)?

As part of its program against the worst forms of child labor, the Family Ministry has held workshops and roundtables in Mbour, Dakar and other areas to fight child begging, underage domestic work and underage prostitution.

-- D. Does the Government support other programs to prevent trafficking (e.g., to promote women's participation in economic decision-making or efforts to keep children in school)? Please explain.

The GOS has a comprehensive poverty reduction program (DSRP) to help improve national economic conditions and ameliorate social problems like trafficking that poverty exacerbates. Economic growth at the local level could help reduce pressure on parents to send their children away, keep children in schools and create job alternatives to prostitution.

The Wade Administration champions education as a top priority. Since 2000, when Wade became President, the GOS has constructed numerous new school facilities, including the approximately 150 newly created centers specifically designed for young children ("les cases des tous petits") and school attendance for girls, historically disadvantaged in terms of access to education, continues

DAKAR 00000528 006 OF 013

to rise. The GOS implemented an UN-approved plan for assuring universal education by 2015, and committed 40 percent of the national budget to education, the highest percentage in Africa. Gross enrollment is now 82.5 percent. Enrollment of girls is now 80.6 percent, compared to boys enrollment of 84.4 percent, a big improvement over previous years. The Government has also taken initiatives to combat child begging by creating Franco-Arab schools. These offer religious education, as well as scholastic learning. In 2005, rural areas had a total of 1,556, versus 349 in urban areas.

(There is no Question E.)

-- F. What is the relationship between government officials, NGOs, other relevant organizations and other elements of civil society on the trafficking issue?

The Family Ministry works closely with UNICEF and Senegalese NGOs to implement its program against the worst forms of child labor. In Mbour, for example, the GOS

holds workshops and seminars with UNICEF and NGO assistance to prevent young girls from turning to prostitution. In 2004, this program helped sensitize 8,140 participants, 5,440 of them children, to the dangers of underage prostitution. In a separate program, the Family Ministry collaborates with local religious leaders to improve conditions in 48 Koranic schools. The GOS cooperates with international organizations at Ginddi Center, and with the IOM to help repatriate trafficked Malian children.

Despite previous work with civil society and international organizations on human trafficking in 2002-03, the High Commissioner for Human Rights does not appear to be working actively with civil society on human trafficking at this time.

The Interior and Justice Ministries have a program with IOM to monitor migration flows across Senegal's borders. Justice Ministry officials worked with IOM staff in the past to organize and analyze criminal statistics.

A number of NGOs, such as ENDA Ecopole, which works primarily with women and children, and Avenir de l'Enfant report cooperative relations with some Senegalese officials, such as the Minister of Family, and the police, who often refer individual cases to such NGOs.

-- G. Does it monitor immigration and emigration patterns for evidence of trafficking? Do law enforcement agencies screen for potential trafficking victims along borders?

Due to the Casamance conflict in southern Senegal, vast borders with Mali and Guinea, its largely uncontrollable riverine border with Mauritania, a large seaport in Dakar and heavy international flight traffic, the GOS is unable to effectively monitor all frontiers. The Government has made progress, though, improving security at Dakar's port and international airport. The Government recently detained a vessel suspected of trafficking in persons, worked with the Governments of Spain and Cape Verde to end the activities of traffickers bringing children and adults from Cape Verde through Senegal to The Gambia and ultimately to Spain, and stopped an orphanage from advertising children to pedophiles via the Internet.

-- H. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force? Does the Government have a trafficking in persons working group or single point of contact? Does the Government have a public corruption task force?

As part of the Labor Ministry's Time Bound Program against the worst forms of child labor, an inter-ministerial committee was formed between 14 government ministries and several other non-ministerial entities. This mechanism

DAKAR 00000528 007 OF 013

for coordinating and communicating on children's issues is the first of its kind. The GOS does not have a TIP task force, but the High Commissioner for Human Rights created a National Committee Against Human Trafficking that includes various ministries and NGOs. The Commissioner is in the process of reactivating this Committee. The Government has established and staffed an office to fight public corruption, but little has been done thus far.

The GOS participated in multinational working groups leading up to conclusion of the Senegal-Mali accord against child trafficking. Senegal has now signed a TIP cooperation agreement with nine ECOWAS countries.

The High Commissioner for Human Rights is Senegal's focal point on trafficking and is responsible for coordinating

anti-TIP policy. Family Minister Mbodj actively fights human trafficking through her ministry's programs and her efforts to lobby other government ministries to reform.

(There is no Question I.)

-- J. Does the Government have a national plan of action to address trafficking in persons? If so, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the Government taken to disseminate the action plan?

The GOS drafted a national action plan against trafficking in 2002-03 that included input from the Family, Justice and Interior Ministries as well as from several NGOs, international organizations and the High Commissioner for Human Rights. The GOS adopted the plan in 2004.

#### 123. INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

For questions A-D, posts should highlight in particular whether or not the country has enacted any new legislation since the last TIP report.

-- A. Does the country have a law specifically prohibiting trafficking in persons -- both trafficking for sexual exploitation and trafficking for non-sexual purposes (e.g. forced labor)? If so, what is the law? Does the law(s) cover both internal and external (transnational) forms of trafficking? If not, under what other laws can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of coercion or fraud? Are these other laws being used in trafficking cases? Are these laws, taken together, adequate to cover the full scope of trafficking in persons? Please provide a full inventory of trafficking laws, including civil penalties (e.g., civil forfeiture laws and laws against illegal debt).

On April 29, 2005, the National Assembly unanimously adopted a comprehensive anti-TIP law. Under the new law, those who recruit, transport, transfer or harbor persons, whether by means of violence, fraud, abuse of authority or otherwise for the purposes of sexual exploitation, labor, forced servitude or slavery are subject to punishment of 5 to 10 years' imprisonment and a fine of between USD 10,000 and 40,000 (5 to 20 million CFA francs (CFAF)). When the violation involves torture, barbarism, the removal of human organs or exposing the victim to a risk of death or injury, jail time can range from 10 to 30 years' imprisonment.

Though Senegal now has an effective legal tool for fighting human trafficking, there have been no prosecutions under the new law. Other statutes have been used to prosecute and convict traffickers. For instance, Senegal's constitution forbids slavery, the labor code prohibits forced labor and begging is illegal under the penal code. Senegalese have not historically viewed exploitive begging as slavery or forced labor, and the anti-begging law is not enforced against any beggars, trafficking victims or not.

DAKAR 00000528 008 OF 013

A legal regime regulates prostitution. Pimping and soliciting customers are illegal. Current laws regulating prostitution yield arrests, including arrests of foreign illegal prostitutes, underage prostitutes and pimps. NGOs working with prostitutes, however, claim the problem is bigger than official statistics suggest.

A few Koranic teachers who physically abuse their students are arrested and prosecuted each year, including two arrests this past year. In most cases, students were beaten for failing to meet their daily begging



requirements. NGOs assisting Koranic school students explain that Koranic teachers who violently enforce daily begging requirements are usually the most exploitive, and most likely to be traffickers rather than bona fide Koranic teachers. Two Koranic teachers were arrested and prosecuted in 2005 for beating students. Family Ministry received students at the Ginddi Center who had been beaten by their Koranic teachers.

-- B. What are the penalties for traffickers of people for sexual exploitation? For traffickers of people for labor exploitation?

Please see above.

-- C. What are the penalties for rape or forcible sexual assault? How do they compare to the penalty for sex trafficking?

The law provides for 5 to 10 years' imprisonment for rape. Rapes resulting in death qualify for life imprisonment. If a rape victim is a minor, the penalty is 10 years' imprisonment. The law punishes sexual abuse of children (pedophilia) with 5 to 10 years' imprisonment. If the offender is a family member, the punishment is 10 years. Any offense against the decency of a child is punishable by imprisonment for 2 to 5 years and in some aggravated cases up to 10 years' imprisonment. Procuring a minor for prostitution is punishable by imprisonment for 2 to 5 years and a fine between 300,000 and 4,000,000 CFAF (USD 575 and 7,600). The penalties for sex trafficking (whether for a minor or an adult) are more severe.

-- D. Is prostitution legalized or decriminalized? Specifically, are the activities of the prostitute criminalized? Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized? Are these laws enforced? If prostitution is legal and regulated, what is the legal minimum age for this activity? Note that in many countries with federalist systems, prostitution laws may be covered by state, local and provincial authorities.

Prostitution is legal in Senegal. To legally practice prostitution, a woman must be at least 21 years old, register with the police, carry a valid sanitary card and test negative for STIs. Searching for clients and pimping are illegal.

-- E. Has the Government prosecuted any cases against traffickers? If so, provide numbers of investigations, prosecutions, convictions, and sentences, including details on plea bargains and fines, if relevant and available. Are the traffickers serving the time sentenced? If no, why not? Please indicate whether the government can provide this information, and if not, why not? (Note: Complete answers to this section are essential. End Note.)

The GOS prosecuted individuals responsible for rape, pedophilia, prostitution and abuse of "talibe" children. In fact, in the past year, two Koranic teachers were convicted and sentenced (though not under the new TIP law) for such abuse.

-- F. Is there any information or reports of who is behind the trafficking? For example, are the traffickers freelance operators, small crime groups, and/or large

DAKAR 00000528 009 OF 013

international organized crime syndicates? Are employment, travel and tourism agencies or marriage brokers fronting for traffickers or crime groups to traffic individuals? Are government officials involved? Are there any reports on where profits from trafficking in persons are being channeled? (e.g. armed groups, terrorist organizations,

judges, banks, etc.)

Child traffickers appear to be freelance operators. GOS officials who feel Senegal is a transit country for human trafficking of adult women believe European-based networks regulate these flows. NGOs working with prostitutes claim networks, even if not highly organized or part of a larger criminal syndicate, exist in Senegal.

-- G. Does the Government actively investigate cases of trafficking? (Again, the focus should be on trafficking cases versus migrant smuggling cases.) Does the Government use active investigative techniques in trafficking-in-persons investigations? To the extent possible under domestic law, are techniques such as electronic surveillance, undercover operations, and mitigated punishment or immunity for cooperating suspects used by the government? Does the criminal procedure code or other laws prohibit the police from engaging in covert operations?

The GOS has actively investigated trafficking cases. As noted above, a trafficking ring bringing Cape Verdeans through Senegal and The Gambia to Spain has been investigated and broken up; a vessel suspected of trafficking has been detained; an orphanage advertising children to pedophiles over the Internet has been investigated; and marabouts have been arrested and prosecuted after investigation. The police and gendarmes use electronic surveillance, undercover operations, and other techniques in their investigations

-- H. Does the Government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

In 2004, 32 police officials participated in two iterations of ICITAP-sponsored anti-TIP training in Dakar. Some of these officers who were trained in criminal analysis participated in additional criminal analysis training at an Interpol seminar. One of the ICITAP-sponsored TIP course attendees now heads the newly formed anti-trafficking unit, located in the Judicial Police headquarters, in the room adjacent to the Interpol office.

-- I. Does the Government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, can post provide the number of cooperative international investigations on trafficking?

Senegalese and Malian authorities continued its cooperation to repatriate Malian children. Two Senegalese marabouts were arrested in Guinea in February 2006 for trafficking in children. The GOS is working with the Government of Guinea in the prosecution of these two individuals. The GOS works regularly with foreign security services on clandestine immigration and human smuggling cases.

-- J. Does the Government extradite persons who are charged with trafficking in other countries? If so, can post provide the number of traffickers extradited? Does the government extradite its own nationals charged with such offenses? If not, is the government prohibited by law from extraditing its own nationals? If so, what is the government doing to modify its laws to permit the extradition of its own nationals?

The GOS can extradite individuals but has not done so for trafficking purposes.

-- K. Is there evidence of government involvement in or

DAKAR 00000528 010 OF 013

tolerance of trafficking, on a local or institutional

level? If so, please explain in detail.

No.

-- L. If government officials are involved in trafficking, what steps has the government taken to end such participation? Have any government officials been prosecuted for involvement in trafficking or trafficking-related corruption? Have any been convicted? What actual sentence was imposed? Please provide specific numbers, if available

No GOS officials are known to have been involved in trafficking.

-- M. If the country has a identified child sex tourism problem (as source or destination), how many foreign pedophiles has the government prosecuted or deported/extradited to their country of origin? Does the country's child sexual abuse laws have extraterritorial coverage (like the U.S. PROTECT Act)?

French newspaper articles and tour guides have described Senegal as a destination for sex tourism. Senegal's Tourism Minister claims, however, Senegal is not and will not become a destination for sex tourism. Police have arrested foreign tourists for illegal sex acts. One foreign national was arrested March 23 after being caught in the act of molesting a 15-year-old boy he had picked up from an orphanage/school for children in difficult living situations. At his initial trial, he was convicted of a "flagrant delit" (as he was apprehended in the act) and sentenced to five years in prison. He was also ordered to pay 1 million CFAF (approximately USD 1,900) to the victim. Upon appeal, his conviction was upheld, but his sentence was reduced to three months in prison based in part upon alleged poor health. At that point, he was released with time served. One of the country's leading prosecutors indicated that his sentence was reduced for "insufficient evidence."

-- N. Has the Government signed, ratified and/or taken steps to implement the following international instruments? Please provide the date of signature/ratification if appropriate.

-- ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor.

Ratified June 1, 2000.

-- ILO Convention 29 and 105 on forced or compulsory labor.

Ratified November 4, 1960 and July 28, 1961 respectively.

-- The Optional Protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution and child pornography.

Signed September 8, 2000, and ratified November 5, 2003.

-- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime.

Ratified October 27, 2003.

#### 24. PROTECTION AND ASSISTANCE TO VICTIMS:

-- A. Does the Government assist victims, for example, by providing temporary to permanent residency status, relief from deportation, shelter and access to legal, medical and psychological services? If so, please explain. Does the country have victim care and victim health care facilities? If so, can you provide the number of victims

placed in these care facilities?

The GOS' Ginddi Center provides various services to assist trafficking victims. These services include medical treatment, family mediation and reconciliation, education, shelter and meals. According to Family Ministry statistics, Ginddi Center received 4,137 children between June 2003 and May 2005. Among these children, 2,571 were reunited with their families; 184 were placed in different homes. The Ginddi Center's child protection hotline received 150,417 calls during the same period, including calls from parents, Koranic teachers and various enquiries about children.

-- B. Does the Government provide funding or other forms of support to foreign or domestic NGOs for services to victims? Please explain.

GOS representatives attend NGO events on trafficking-related and child protection themes, which helps generate greater turnout to these events and greater public awareness of Senegal's trafficking problems. The Ministry of Family works closely with many Senegalese NGOs, such as RADDHO, Avenir de l'Enfant and La Lumiere.

-- C. Is there a screening and referral process in place, when appropriate, to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to NGO's that provide short- or long-term care?

The GOS provides these services through its Ginddi Center. While there is no formal referral process between the GOS and NGOs, close working relationships between local government officials and NGOs active in their districts allow for information exchange and intervention in particular cases.

-- D. Are the rights of victims respected, or are victims also treated as criminals? Are victims detained, jailed, or deported? If detained or jailed, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

The rights of young boys trafficked by religious teachers are generally respected, and they are usually provided with victim assistance.

Underage and foreign prostitutes are considered criminals. On average, 16 prostitutes are checked/questioned every day. Of those 16, approximately three are found in violation of the law, arrested and prosecuted every day. During the year, 90 foreigners were arrested/prosecuted for prostitution - 50 Nigerians and 40 Guineans.

-- E. Does the Government encourage victims to assist in the investigation and prosecution of trafficking? May victims file civil suits or seek legal action against the traffickers? Does anyone impede the victims' access to such legal redress? If a victim is a material witness in a court case against the former employer, is the victim permitted to obtain other employment or to leave the country? Is there a victim restitution program?

Under the 2005 TIP law, trafficking victims cannot be prosecuted for acts taken as a result of their being trafficked. The law also protects the identity of victims and permits "closed door" testimony to encourage them to serve as witnesses. They also are permitted to remain temporarily or permanently on national territory under the status of resident or refugee. Victims have a right to an attorney. If they cannot afford one, one will be provided to them. Young boys beaten by their Koranic teachers are

encouraged to assist authorities investigate and prosecute cases. Similarly, illegal prostitutes are questioned about their pimps.

-- F. What kind of protection is the Government able to

DAKAR 00000528 012 OF 013

provide for victims and witnesses? Does it provide these protections in practice? What type of shelter or services does the government provide? Does it provide shelter or any other benefits to victims for housing or other resources in order to aid the victims in rebuilding their lives? Where are child victims placed (e.g. in shelters, foster-care type systems or juvenile detention centers)?

The GOS operates the Ginddi Center in Dakar for trafficked and at-risk children. While the Government funds most operations, international partners provide some assistance.

-- G. Does the Government provide any specialized training for government officials in recognizing trafficking and in the provision of assistance to trafficked victims, including the special needs of trafficked children? Does the Government provide training on protection and assistance to its embassies and consulates in foreign countries that are destination or transit countries? Does it urge those embassies and consulates to develop ongoing relationships with NGOs that serve trafficked victims?

To our knowledge, other than training Ginddi Center personnel, the GOS provided no training in 2005.

-- H. Does the Government provide assistance, such as medical aid, shelter, or financial help to its repatriated nationals who are victims of trafficking?

In 2005, almost 1,000 Senegalese were repatriated from Morocco, and the GOS is designing a farming project to assist them.

-- I. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities? NOTE: If post reports that a government is incapable of assisting and protecting TIP victims, then post should explain thoroughly. Funding, personnel, and training constraints should be noted, if applicable. Conversely, a lack of political will to address the problem should be noted as well.

The following is a non-exhaustive list of NGOs working with trafficking victims, their primary target group(s) and services: TOSTAN, Koranic students, health, education and nutrition; l'Avenir d'Enfant, trafficked boys and underage prostitutes, shelter, nutrition, education and reconciliation; ATT, Koranic students, health and education; and ENDA Sante, illegal prostitutes, health; and AWA, prostitutes, job training and health. RADDHO, which works with Koranic students, underage prostitutes, and domestics, has a program for the "Socio-Professional Integration of Young Migrant Victims of Trafficking," which is being funded by the Swiss Foundation for International Social Service (SSI). Local authorities support NGO programs through their attendance at public events, collaboration on program strategies and activities and use of public spaces for activities.

International organizations include: UNICEF, underage domestics, underage prostitutes and Koranic students, education, and job alternatives; IOM, trafficked children, coordinates repatriation of Malian children; Save the Children Sweden, Koranic students, education; and ILO, underage domestics, underage prostitutes and Koranic students, education, and job alternatives.

¶22. HEROES: Moussa Sow, Director of Avenir de l'Enfant, is a TIP hero in every sense of the word. Last year, his organization was cited for best practices in dealing with child trafficking victims. As stated then, Moussa works with breathless devotion to keep young girls from prostitution and help young boys deal with the trauma many of them suffer at Koranic schools. A former victim of abuse, he used his own difficult beginnings as inspiration to go out on nearly a daily basis to comb the roughest

DAKAR 00000528 013 OF 013

streets of Dakar, Rufisque and other areas for children in distress. Each time he does so, he puts his life and well being on the line. He also visits children in prison, reunites countless run-aways with their families -- even taking them to their homes in other countries -- and follows up with those he has helped into their adulthood. He successfully campaigned for a larger center to shelter even more children and educate them. In addition, he has served as a witness in international pedophilia cases. He has a family of his own and gets little financial remuneration for his work. Yet, he pursues his mission with an unparalleled passion and is able to establish an emotional connection with every child he meets. Because of the respect, love and patience that Moussa shows for children, they look to him as a true hero. He is, indeed, an extraordinary TIP hero.

¶23. BEST PRACTICES: AWA is a Senegalese NGO that works with former and current prostitutes to provide with medical care, vocational training and other services to encourage them to find an alternative profession. AWA has launched a new project to train large numbers of women in cooking, sewing, tie-dye, and other skills to generate income. It will also combine advocacy and awareness programs to teach women about the dangers of prostitution. We are recommending this project as a "best practice," because it is unique in its attempt to not only pull large numbers of vulnerable and probably trafficked women out of the perilous field of prostitution but also provide them with another way to earn an income and contribute not only to their families but also to Senegalese society and economy.

¶3. (U) The Embassy's TIP officer, Rachel Wallace, can be reached by phone at 221-823-4296, ext. 2420, and by e-mail at WallaceRA@state.gov. Embassy TIP officer spent over 50 hours preparing this year's TIP report. Pol FSN spent 15 hours, and Econ FSN spent eight.

JACKSON